

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

GLOBAL WEATHER PRODUCTIONS,
LLC,

Plaintiff,

vs.

JOE PAGS MEDIA, LLC,

Defendant.

§
§
§
§
§
§
§
§
§

Case No. SA-23-01350-JKP

DECLARATION OF ANDREW D. LOCKTON

I, Andrew D. Lockton, declare as follows:

1. I am an attorney duly licensed and admitted to practice before this Court and a member of the law firm of McHale & Slavin, P.A. I am counsel for the Defendant, Joe Pags Media, LLC, in the above-captioned case, along with Edward F. McHale of my firm. I have personal knowledge of the facts in this declaration, and if called upon and sworn as a witness I could testify competently to them. I make this declaration in support of Defendant's Motion to Set Aside the Clerk's Default and Dismiss Plaintiff's Complaint.

2. Exhibit A is a true and correct copy of a letter sent by Mr. McHale to Plaintiff's counsel, Mr. Craig Sanders of the Sanders Law Group, on December 22, 2023. The letter was attached to an email sent by a paralegal in our office, Abby A. Cox, from the email address litigation@mchaleslavin.com, and cc'ed litigation@mchaleslavin.com. Both Mr. McHale and I receive emails sent to the email address litigation@mchaleslavin.com, and I received a copy of the email, with the attached letter, when it was sent.

3. Exhibit B is a true and correct copy of a letter sent by Mr. McHale to Mr. Sanders and Plaintiff's other counsel, Mr. James H. Freeman, on January 24, 2024. The letter was attached

to an email sent by Ms. Cox to both Mr. Sanders and Mr. Freeman, and cc'ed litigation@mchaleslavin.com. I received a copy of the email, with the attached letter, when it was sent.

4. Exhibit C is a true and correct copy of a letter sent by Mr. McHale to Mr. Freeman and Mr. Sanders on February 27, 2024. The letter was attached to an email sent by Ms. Cox to both Mr. Sanders and Mr. Freeman, and cc'ed litigation@mchaleslavin.com. I received a copy of the email, with the attached letter, when it was sent.

5. Exhibit D is a true and correct copy of an email I sent to Mr. Freeman on March 13, 2024, after Mr. McHale and I spoke with Mr. Freeman. Mr. Sanders was copied on the email, as was Mr. McHale, and our "litigation" email account.

6. Exhibit E is a true and correct copy of a letter sent by Mr. McHale to Mr. Freeman on April 3, 2024, and a true and correct copy of the agreement between M3 Media Management, LLC, and Joe Pags Media, LLC. Both the letter and agreement were attached to an email sent by Ms. Cox to Mr. Freeman, and cc'ed litigation@mchaleslavin.com. I received a copy of the email, with the attached letter and agreement, when it was sent.

7. Exhibit F is a true and correct copy of an email I sent to Mr. Freeman on April 12, 2024, attaching the April 3, 2024, email (with the attached letter and agreement). Mr. Sanders was copied on my email, and thereby received a copy of Mr. McHale's April 3, 2024, letter, and the agreement between M3 and Joe Pags Media.

8. Exhibit G is a true and correct copy of an email I received from Mr. Freeman on April 12, 2024, in response to my email identified in paragraph 7, above.

9. Exhibit H is a true and correct printout from the “page transparency” of the “Joe Pags” Facebook account. That account is identified as the “FB Account” in the Complaint. The printout was taken by me on May 17, 2024, at 12:48 pm, Eastern Daylight Time.

Pursuant to 28 U.S.C. § 1746, I hereby certify that the foregoing is true and correct.

Executd this 20th day of May, 2024, at Palm Beach Gardens, Florida.

/s/ Andrew D. Lockton

Andrew D. Lockton